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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/437,378	11/10/1999	ERIC SVEM HELLMAN	OIQ-001	7897

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EXAMINER
WON, YOUNG N

ART UNIT	PAPER NUMBER
2155	5

DATE MAILED: 10/29/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

	Application No.		Applicant(s)
Office Action Summary	09/437,378		HELLMAN ET AL.
	Examiner		**Art Unit**
	Young N Won		2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 September 2002* .

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-34* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5,7-16 and 18-34* is/are rejected.

7)☒ Claim(s) *6 and 17* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)   4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5) ☐ Notice of Informal Patent Application (PTO-152)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .   6) ☐ Other: .

DETAILED ACTION

1.   Amendments have been noted and claims 1-34 have been re-examined.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the
United States before the invention thereof by the applicant for patent, or on an international application
by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this
title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act

of 1999 (AIPA) do not apply to the examination of this application as the application

being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily

published under 35 U.S.C. 122(b). Therefore, this application is examined under 35

U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2.   Claims 25 and 26 are rejected under 35 U.S.C. 102(e) as being anticipated by

De La Huerga et al. (US Pat.No.5895461).

As per claim 25, De La Huerga teaches of a computer-readable medium for use

in a computer system and holding computer-executable instructions for performing a

method (see col.2 lines 17, 27, 60, 63, & 67, col.3 line 31, and col.4 lines 64-65),

comprising the steps of: receiving a request for a resource (see col.4 lines 2-3), said request originating from a user selecting a hyperlink (see col.4 lines 26-27) and said request being redirected to the computer system by an intermediary (see col.3 lines45 and col.4 line 1: word processor), said intermediary being selected based on user-supplied information (see abstract: "processor that recognizes keywords entered by the user") and resolving the hyperlink based at least in part using said user-supplied information (see col.8, lines18-20); translating the request into a format that is acceptable to the computer system (see col.4 lines 18-19); and servicing the request as translated by returning a resource to the user (see col.4 lines 30-33).

As per claim 26, De La Huerga further teaches wherein the step of servicing the request comprises returning a web page to the user (see col.4 lines 56-62).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-5, 8-16, and 18-24 are rejected under 35 U.S.C. 103(a) as being

unpatentable over De La Huerga et al. (US Pat.No.5895461) further in view of Minor et

al. (US Pat. No.5740252).

As per claims 1 and 19, De La Huerga teaches of an environment having a

redirection facility (see col.3 line 45 and col.4 line 1: word processor), a method, and a

medium that is readable by an electronic device (see col.2 lines 17, 27, 60, 63, & 67,

col.3 line 31, and col.4 lines 64-65) for use in an environment having a redirection

server (see col.3 lines 45 & 55-56, and col.4 line 1) and holding instructions for

performing a method, comprising the steps of: receiving a user request to access

information regarding a semantic value associated with a hyperlink at the redirection

facility (see col.4 lines 7-15 and 26-27); and identifying a user preference regarding

which service provider to use to service the request (see col.4 lines 2-7). De La Huerga

does not teach based on the user preference, directing the request from the redirection

facility to a service provider for servicing the request. Minor teaches directing the

request from the redirection facility to a service provider for servicing the request (see

col.2 lines 44-46). It would have been obvious to a person of ordinary skill in the art at

the time the invention was made, to employ the teachings of Minor within the system of

De La Huerga, by directing a request to a service provider within a redirection facility,

because this allows the user or client to retrieve requested information from a non-

public resource database.

As per claims 9 and 22, De La Huerga teaches of an electronic device (see col.3

line 45 and col.4 line 1: word processor), a method, and a medium holding instructions

that are executable by an electronic device for performing a method (see col.2 lines 17, 27, 60, 63, & 67, col.3 line 31, and col.4 lines 64-65), comprising the steps of: receiving user information regarding a user and link information regarding a hyperlink to be resolved to a resource in response to the user selecting the hyperlink (see col.4 lines 12-15); and identifying a resolution service to employ to resolve the hyperlink based on the user information (see col.4 lines 19-25). De La Huerga does not teach of forwarding at least some of the link information to the identified resolution service for resolution of the hyperlink. Minor teaches of forwarding at least some of the link information to the identified resolution service for resolution of the hyperlink (see col.1 lines 52-58). It would have been obvious to a person of ordinary skill in the art at the time the invention was made, to employ the teachings of Minor within the system of De La Huerga, by forwarding at least some link information by the electronic device to the resolution service, because this would allow for the resolution service to respond with relevant information or service pertaining to the user request (see Minor: col.1 lines 57-58).

As per claims 2 and 20, De La Huerga further teaches of comprising the steps of receiving a communication holding information about the user and using this information to identify the user preference (see col.4 lines 2-7).

As per claims 3, 10, 21, and 23, De La Huerga does not teach wherein the communication comprises a cookie. Minor teaches wherein the communication comprises a cookie (see col.2 lines 6-7: unique identifier). It would have been obvious to a person of ordinary skill in the art at the time the invention was made, to employ the teachings of Minor within the system of De La Huerga, by implementing communication

comprising of a cookie within a redirection facility, because cookies are well known in

the art and used from server to browser for identifying the user and possibly for

preparing customized web pages for the user.

As per claim 4, De La Huerga does not teaches wherein the redirection facility

has access to a database holding data regarding preferences of users and wherein the

step of identifying the user preference further comprises accessing the database to

access the data. Minor teaches wherein the redirection server has access to a

database holding data regarding preferences of users and wherein the step of

identifying the user preference further comprises accessing the database to access the

data (see Fig.1 #20 & #24A, and col.2 lines 11-12). It would have been obvious to a

person of ordinary skill in the art, to employ the teachings of Minor within the system of

De La Huerga, by implementing a database of user preference accessible by the

redirection server within a redirection facility, because databases are used in the art for

storage and retrieval of large amounts of records, files, documents, or whatever one

wishes to categorically and electronically store, thus it would be beneficial for a

redirection facility for the purpose of redirecting based on user preference, to store the

plurality of user preferences in an easily accessible manner without limiting the

performance of the system.

As per claims 5 and 16, De La Huerga does not teach wherein the method

further comprises the steps of: wherein the service provider fails to fully service the

request, identifying a second service provider to use to service the request and directing

the request from the redirection facility to the second service provider to service the

request. Minor teaches wherein the method further comprises the steps of: wherein the

service provider fails to fully service the request, identifying a second service provider to

use to service the request and directing the request from the redirection facility to the

second service provider to service the request (see Fig. 1 #24B to #24N). It would have

been obvious to a person of ordinary skill in the art, to employ the teachings of Minor

within the system of De La Huerga, by implementing a second service provider in within

the redirection facility, because not only is it beneficial for when the first fails to have an

alternate, but also gives the user more options for the retrieval of request. The service

provider the user preferred yesterday might not be the preference today.

As per claim 8, De La Huerga further teaches wherein the device is part of a

network (see col.1 lines 23-39).

As per claims 11 and 24, De La Huerga further teaches wherein the step of

identifying the resolution service comprises accessing data regarding services available

to the user and identifying the resolution service based on services available to the user

(see col.4 lines 2-6).

As per claim 12, De La Huerga further teaches wherein the electronic device is a

computer system (see col.5 lines 60-61).

As per claim 13, De La Huerga further teaches wherein the step of identifying a

resolution service comprises soliciting input from the user (see col.4 lines 7-12).

As per claim 14, De La Huerga does not teach wherein the soliciting includes

presenting a form for the user to complete. Minor teaches wherein the soliciting

includes presenting a form for the user to complete (see col.2 lines 3-5). It would have

been obvious to a person of ordinary skill in the art, to employ the teachings of Minor

within the system of De La Huerga, by implementing a form to the user for soliciting

within the electronic device system, because on-line forms are well known in the art and

widely used in Internet sites for collecting demographic information in trade for use of

their service. Therefore, since the system uses user information to provide a resolution

service, it would be most beneficial to solicit by the means of such a form.

As per claim 15, De La Huerga does not teach wherein the soliciting includes

soliciting for identification of subscription services to which the user subscribes. Minor

teaches wherein the soliciting includes soliciting for identification of subscription

services to which the user subscribes (see col.1 lines 63-65). It would have been

obvious to a person of ordinary skill in the art, to employ the teachings of Minor within

the system of De La Huerga, by implementing solicitation to which the user subscribes

within the electronic device system, because this would allow the system to be not

responsible for solicitations and enable the individual resolution services to implement

solicitations.

As per claim 18, De La Huerga further teaches wherein resource includes

content which is divisible into genres (see col.4 line 8: specialized information fields)

and wherein the hyperlink contains information regarding to which of the genres the

hyperlink is to be resolved (see col.4 lines 26-30).

4.   Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over De La

Huerga et al. (US Pat.No.5895461) and Minor et al. (US Pat. No.5740252) as applied to

claim 1 above, and further in view of Bowen et al. (US Pat. No.6094649). De La Huerga

and Minor do not teach wherein the redirection facility is run on a dedicated device that

supports the TCP/IP protocol suite. Bowen teaches of a dedicated device that supports

the TCP/IP protocol suite (see col.7 lines 20-23).). It would have been obvious to a

person of ordinary skill in the art, to employ the teachings of Bowen within the system of

De La Huerga and Minor, by implementing a TCP/IP protocol within the redirection

facility because TCP/IP is a well known protocol in the art of communicating through the

Internet. Thus, if the redirection facility consisted of Internet connection, such protocol

would be ideal.

5.   Claims 27-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over De

La Huerga et al. (US Pat.No.5895461) further in view of Gerace (US Pat.No.5991735).

As per claim 27, De La Huerga teaches of an environment having a redirection

facility (see col.3 line 45 and col.4 line 1: word processor) for redirecting a selected

request from a requestor (see col.3 lines 46-50) for a given resource to a service

provider, comprising: receiving the selected request at the redirection facility (see col.3

lines 66-67); and examining a criterion at the redirection facility (see col.4 lines 7-15).

De La Huerga does not teach that this is a method of advertising or that based on the

examined criterion, determining whether to present an advertisement to the requestor.

Gerace teaches a method of advertising and based on the examined criterion, determining whether to present an advertisement to the requestor (see Abstract). It would have been obvious to a person of ordinary skill in the art at the time the invention was made, to employ the teachings of Gerace within the system of De La Huerga, by implementing advertising methods within a redirection facility, because it is well known and currently employed in the art of advertising based on user examined criterion. Thus when sending hyperlinks based on user information for redirection, advertisement links may also be sent or attached.

As per claim 28, De La Huerga further teaches wherein the requestor is a user of a computer system (see col.3 lines 46-50).

As per claim 29, De La Huerga does not teach wherein the method further comprises the step of presenting an advertisement to the requestor. Gerace teaches of presenting an advertisement to the requestor (see col.2 lines 35-37). It would have been obvious to a person of ordinary skill in the art at the time the invention was made, to employ the teachings of Gerace within the system of De La Huerga, by presenting an advertisement to the requestor within a redirection facility, because advertisements are a source of income and primarily for Internet businesses, advertisements help reduce or even eliminate the costs, incurred from services rendered, to the user.

As per claim 30, De La Huerga does not teach wherein the step of presenting an advertisement comprises sending video content over a network from the redirection facility. Gerace teaches wherein the step of presenting an advertisement comprises sending video content over a network from the redirection facility (col.13 lines 23-25). It

would have been obvious to a person of ordinary skill in the art at the time the invention was made, to employ the teachings of Gerace within the system of De La Huerga, by implementing video advertisement over a network from the redirection facility, because this would allow for advertisements in the form of video data to be sent to user. Aesthetics is not an invention.

As per claim 31, De La Huerga does not teach wherein the step of sending video content comprises sending a web page with an advertisement from the redirection facility to the requestor. Gerace teaches wherein the step of sending video content comprises sending a web page with an advertisement from the redirection facility to the requestor (see col.11 lines 5-8 and col.17 lines 5-7). It would have been obvious to a person of ordinary skill in the art at the time the invention was made, to employ the teachings of Gerace within the system of De La Huerga, by sending a web page along with the video content within a redirection facility, because this would explain to the user what the video content is as well as information and guidelines as to disabling the video content or additional options the user can take. Since original transfer of data occurred from a web browser, keeping communication in the form of a web page is obvious.

As per claim 32, De La Huerga does not teach wherein the criterion is a random criterion so that the determining is based on a random event. Gerace teaches wherein the criterion is a random criterion so that the determining is based on a random event (col.1 lines 13-29 and col.3 lines 1-10). It would have been obvious to a person of ordinary skill in the art at the time the invention was made, to employ the teachings of Gerace within the system of De La Huerga, by implementing random criterion within a

redirection facility, because this allows for determining to be based on timed increments rather than comparison of data, thus allowing the criterion to be implemented with less restriction.

As per claim 33, De La Huerga does not teach wherein the criterion is when the requestor last received a previous advertisement from the redirection facility. Gerace teaches wherein the criterion is when the requestor last received a previous advertisement from the redirection facility (col.2 lines 43-45). It would have been obvious to a person of ordinary skill in the art at the time the invention was made, to employ the teachings of Gerace within the system of De La Huerga, by recording the last received advertisement within the redirection facility, because this would allow for the data to be used for statistical purposes for better and more effective targeting methods (see Gerace: col.2 lines 50-60).

As per claim 34, De La Huerga does not teach wherein the criterion is how many requests for resources from the requestor have been received at the redirection facility. Gerace teaches wherein the criterion is how many requests for resources from the requestor have been received at the redirection facility (see col.2 lines 18-20). It would have been obvious to a person of ordinary skill in the art at the time the invention was made, to employ the teachings of Gerace within the system of De La Huerga, by recording the amount of received requests within the redirection facility because this would allow the facility to keep track of psychographic profile of all users for future targeting (see Gerace: col.2 lines 20-22 & 38-42).

Allowable Subject Matter

6.   Claims 6 and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Prior art of records De La Huerga et al. (US Pat.No.5895461), Minor et al. (US Pat. No.5740252), and Fluegge (US Pat. No.5745372), do not disclose, teach, or suggest the claim limitation wherein the method of claims 5 and 16, respectively, further comprises the step of identifying the service provider that failed to fully service the request at the redirection facility before the direction of the request to the second service provider or before the forwarding step.

Response to Remarks

7.   Objections to drawing have been withdrawn.

8.   Claim 4, and 18 rejections have been withdrawn.

9.   With respect to the amended claim 25, De La Huerga further teaches the

amended limitations (see rejection above) and therefore, claim 26 is also rejected based

on prior rejection.

10.   As per claims 9, 19, and 22, De La Huerga clearly teaches the functionality of re-

directing (see abstract:"data records are...and retrieved from predetermined addresses

on a plurality of databases" and "References to other data records causes a word

processor to create hypertext links to those records without knowing where they are

stored") and it is inherent that word processors operate in many computer system,

known in the art as a desktops notebooks, PDA's, servers, ect. De La Huerga also

teaches the forwarding of link information.

11.   The remarks regarding claim 6 and 17 have been concurred, and therefore stand

objected as set forth above.

12.   Claim 7 stand rejected by reason set forth in claim 7 rejection and item No.10

above.

13.   Remarks regarding claims 27-34 have been noted, but fail to overcome the prior

rejection set forth above and reasons set forth above in item No.10.

Conclusion

Redirection facility is observed by the patent office as merely a label the applicant created. What is more important than the name is the functionality to which the claims recite. By arguing the differences of prior art as to what the prior art does not teach compared to what the applicant claims is the true definition of the "Redirection Facility" does not constitute a patentable invention. The claims must state and clearly teach the functionality of the "Redirection Facility" to distinguish it over prior art.

In order to optimize time, it is wise to amend the claims to clearly define and distinctly state what the applicant claims as his/her invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Young N Won whose telephone number is 703-605-4241. The examiner can normally be reached on M-Th: 8AM-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R Sheikh can be reached on 703-305-9648. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.
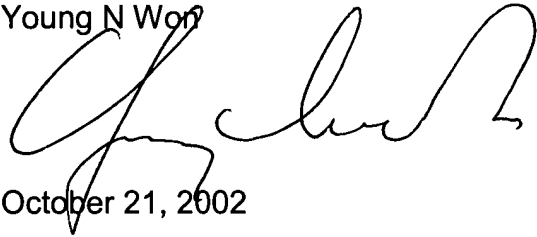
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Young N Won

October 21, 2002

AYAZ SHEIKH
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